

21797. Adulteration and misbranding of Riggs'-O-Dean Mouth Wash. U. S. v. Riggs'-O-Dean Products, Inc., and Isaac Platt. Plea of guilty. Fine, \$25. (F. & D. no. 29409. I.S. no. 53352.)

Examination of the drug preparation, Riggs'-O-Dean Mouth Wash, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Tests of the article also showed that it was not an antiseptic mouth wash, as claimed in the labeling.

On May 9, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Riggs'-O-Dean Products, Inc., a corporation, and Isaac Platt, president and owner of the said corporation, Chicago, Ill., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about February 1, 1932, from the State of Illinois into the State of Ohio, of a quantity of Riggs'-O-Dean Mouth Wash that was adulterated and misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of potassium iodide, tannic acid, volatile oils, including peppermint oil and cassia oil, a trace of aconitine, alcohol (2.7 percent by volume), and water, colored with a yellow dye.

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to be an antiseptic when used as directed, whereas it was not an antiseptic when used as directed.

Misbranding was alleged for the reason that the statements, "An effective antiseptic * * * allowing the antiseptic action its full effect * * *", borne on the bottle label, the statements, "Effective Antiseptic * * * indicated as a * * * mouth wash, antiseptic", borne on the cartons, and the statements, "Antiseptic * * * is unequalled for its sterilizing antiseptic * * * qualities * * * It is unequalled as an antiseptic", appearing in a circular shipped with the article were false and misleading, since the article was not an effective antiseptic when used as directed; it was not a mouth wash antiseptic when used as directed; and it was not an antiseptic unequalled for its sterilizing, antiseptic qualities when used as directed. Misbranding was alleged for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the bottle labels and in the circular, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for sore throat; effective to stimulate and promote healthy normal gums and to retain sound, clean teeth; effective to neutralize acidized conditions; and effective as a relief for inflammatory conditions of the throat; effective as a treatment for trench mouth and to assist in removing mucin plaque or gray ulcers over the gums; effective as a treatment, remedy, and cure for pyorrhea, gingivitis, and receding gums; and effective as a preventive of spongy gums.

On December 15, 1933, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$25.

M. L. WILSON, *Acting Secretary of Agriculture.*

21798. Misbranding of Rabbit Supto. U. S. v. 40 Quart Cans of Rabbit Supto. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31144. Sample no. 36618-A.)

Examination of the drug product, Rabbit Supto, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On or about September 26, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel, and on October 10, 1933, an amended libel, praying seizure and condemnation of 40 quart cans of Rabbit Supto at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 15, 1933, by the Supto Manufacturing Co., from Des Moines, Iowa, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of coal tar light oil, high boiling mineral oil, and small proportions of formaldehyde and eucalyptus oil.

It was alleged in the libel that the article was misbranded in that the statement on the label, regarding the curative and therapeutic effects of the article, "The fumes from evaporation after use in the hutch will satisfactorily combat colds and snuffles", were false and fraudulent.

On November 13, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21799. Misbranding of Nomoppin. U. S. v. Fourteen 3-Ounce Bottles and Thirty-seven 1-Ounce Bottles of Nomoppin. Default decree of destruction. (F. & D. no. 31191. Sample no. 39865-A.)

Examination of the drug preparation, Nomoppin, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On September 14, 1933, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of fourteen 3-ounce bottles and thirty-seven 1-ounce bottles of Nomoppin at Savannah, Ga., alleging that the article had been shipped in interstate commerce on or about September 4, 1933, by the MacMillan Drug Co., from Columbia, S.C., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of arsenic trioxide (2 grams per 100 milliliters), a small proportion of potassium carbonate, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Bottle, both sizes) "The internal remedy for chicken sorehead, also preventive * * * 20 drops to each quart of their drinking water, till all signs have disappeared. If improvement be too slow—after 48 hours—increase dose to 30 or 40 or even 50 drops to each quart till improving"; (bottle, three-ounce size) "As preventive"; (white circular accompanying 3-ounce size) "Cures—Prevents Chicken Sorehead * * * Aids Egg production by its tonic effect * * * Consider grain, etc., costs and time lost to restore normal flesh and vigor to flock have sorehead—loss in Eggs and Broilers."

On November 8, 1933, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21800. Misbranding of Mixer's Cancer and Scrofula Syrup. U. S. v. 32 Cartons and 5 Cartons of Mixer's Cancer and Scrofula Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30999, 31000. Sample nos. 36425-A, 45685-A.)

Examination of the drug preparation, Mixer's Cancer and Scrofula Syrup, disclosed that it contained no ingredients or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On or about August 28, 1933, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 37 cartons of Mixer's Cancer and Scrofula Syrup in part at Toledo, Ohio, and in part at Wauseon, Ohio, alleging that the article had been shipped in interstate commerce on or about July 24 and August 2, 1933, by the Mixer Medicine Co., from Hastings, Mich., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of potassium iodide, (2.9 grams per 100 milliliters), extracts of plant drugs, including a laxative drug, sugar, alcohol and water, flavored with methylsalicylate.

It was alleged in the libels that the article was misbranded in that the retail and shipping cartons, the bottle label, and a booklet shipped with the article contained false and fraudulent statements concerning the curative and therapeutic effects of the article in the treatment of cancer, including cancer of the lip, nose, face, eye, forehead, cheek, chin, eyebrow, ear, neck, tongue, shoulder, breast, womb, and knee, scrofulous affections, erysipelas, St. Anthony's fire, tinea capitis, scaldhead, milk crust, salt rheum, ringworm, tetter, tumors, ulcers, boils, pustules, blotches, pimples, catarrh, laryngitis, bronchitis, dyspepsia, piles, fistula, diseases peculiar to the glandular and assimilative systems, scrofula and kindred diseases, abscesses, all blood diseases, sores, fever sores, goiter, eruptions, malignant conditions of growths, rheumatism, eczema, cancerous tumor, chronic ulcer, running sore, ulcers in the throat, asthma, catarrh